REMARKS

Applicants have considered the outstanding official action. It is respectfully submitted that all of the claims are directed to patentable subject matter as set forth below.

Claims 28-30 are objected to as being dependent upon a rejected base claim, but are stated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In order to place claims 28-30 in condition for allowance, applicants have rewritten claims 28-30 as follows: claim 28/21 as independent claim 28, claim 28/22 as new claim 43, 28/23 as new claim 44, and claim 28/24 as new claim 45. Claims 29 and 30 have each been rewritten to depend from one of claims 28, 43, 44 or 45. Applicants have also added claim 46 which is a method claim having similar corresponding limitations as claim 28. Withdrawal of the objection and formal allowance of claims 28-30 and 43-45, as well as allowance of new claim 46, are respectfully requested.

The drawings are objected to under 37 CFR 1.83(a) because they fail to show "gripping members 43" as described

in the specification on page 5, line 18. Applicants have amended Figures 3A and 3B to add reference numeral "43". Applicants have also added reference numeral "5", indicating the nip, to Figures 3A and 3B. See, for example, page 5, line 17. Applicants are attaching hereto drawing replacement sheets for Figures 3A and 3B. Withdrawal of the objection is respectfully requested.

The only pending rejection based on art is of claims 21-27 and 31-42 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,000,729 (Yamauchi) in view of U.S. Patent No. 3,346,253 (Paschke).

Claims 21 and 37 are the independent currently rejected claims. Claim 21 claims a folding machine for folding a web material along transverse folding lines comprising at least one folding cylinder equipped with at least one gripping member to grasp the web material along a folding line. An electrostatic system is associated with the at least one gripping member to attract the web material towards the gripping member.

Claim 37 claims a method for folding a web material according to transverse folding lines comprising arranging at least one folding cylinder; providing on the folding cylinder at least one gripping member; rotating the

folding cylinder about an axis thereof; feeding the web material to the folding cylinder; and engaging the web material with the at least one gripping member of the folding cylinder. The web material is inserted into the gripping member by electrostatic attraction.

Claims 21-27 and 31-42 are rejected under 35 U.S.C. § 103(a) over Yamauchi in view of Paschke. The Examiner asserts that it would have been obvious to provide the vacuum source of Yamauchi with the electrostatic system of Paschke to attract the web material into the groove since Paschke discloses that it is known in the art to provide an electrostatic system to attract a web material.

Initially, applicants submit that the combination of Yamauchi and Paschke would not be obvious to one skilled in the art since Yamauchi discloses a plastic web folding device and Paschke relates to an entirely different technical field, namely a printing press. There is no reason for one skilled in the art to combine the two references.

More particularly, Yamauchi discloses a bag folding machine for folding in an overlapping manner thin plastic bags having a pair of folding drums provided respectively with longitudinal grooves, swing grippers and

thrusting and cutting blades. Suction holes are formed in the side surfaces of each of the thrusting and cutting blades to suck air therethrough. Blowing holes are formed in the circumference of the pair of folding drums. The suction holes and blowing holes connect respectively to a vacuum pump and compressor in synchronism with the rotation of the pair of folding drums. The leading edge of sheets of an elongated bag are attracted by suction to the drum at positions corresponding to the thrusting and cutting blades. As the bag is released from the folding drum, air is blown from the groove in the drum to separate the folded bag from the drum so that it falls downward. For example, the thrust blade 9 of an auxiliary thrust roller 7 thrusts the tube P of plastic material into the groove 10 of the folding drum 8. Then, air is sucked through suction holes 15 formed in suction surface 14 to hold the tube P by suction in the groove 10. See, column 7, lines 1-5. As acknowledged by the Examiner, Yamauchi does not disclose an electrostatic system to attract the plastic sheet material into the groove.

Paschke does not make up for the shortcomings of Yamauchi. Paschke teaches gripping the leading edge of a sheet material to transfer the sheet material to an

impression cylinder and pass it through a transfer zone. After the sheet material passes through the impression nip, the sheet material is conveyed to the next printing unit. In order to control the trailing portion of each sheet and prevent it from fluttering excessively as it leaves the nip between the impression cylinder 12 and the transfer cylinder 16, an electrostatic charge is applied thereto by a charging unit 23. See, column 2, lines 29-33. Paschke also discloses that after the sheet leaves the impression nip between the blanket and the impression cylinders, a second electrostatic charge is applied thereto by charge unit 24 to assist in stripping the sheet off the blanket cylinder. See, column 2, lines 33-36. Paschke's teachings, therefore, are contrary to the invention as claimed since the invention as claimed uses an electrostatic charge to attract the web material towards or into a gripping member, which is arranged in the folding cylinder. The electrostatic charge is used to attract the web material towards or into the gripping member as part of the folding operation rather than after passage through a roller nip and to strip the material from a cylinder.

Therefore, there is no suggestion for one skilled in the art to try to use or to use an electrostatic system

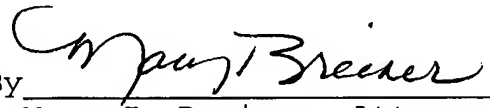
as described in Paschke with or as an alternative to the vacuum system of Yamauchi since the two systems serve different purposes and operate in different manners. Neither Yamauchi nor Paschke suggest any motivation to modify the teachings of Yamauchi or Paschke in order to provide the invention as claimed.

Accordingly, Yamauchi in combination with Paschke does not render the invention as claimed obvious within the meaning of 35 U.S.C. §103(a). Thus, withdrawal of the §103 rejection is respectfully requested.

Reconsideration and allowance of the claims is respectfully urged.

Respectfully submitted,

ALESSANDRO MORELLI ET AL.

By 

Mary J. Breiner, Attorney
Registration No. 33,161
BREINER & BREINER, L.L.C.
P.O. Box 320160
Alexandria, Virginia 22320-0160

Telephone: (703) 684-6885

Attachment - Replacement Sheets (2)